

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
ROCK HILL DIVISION

**UNITED STATES OF AMERICA, et al.  
*ex rel.* LYNN E. SZYMONIAK,**

**Plaintiffs,**

v.

**AMERICAN HOME MORTGAGE  
SERVICING et al.,**

**Defendants.**

C.A. No. 10-cv-01465-JFA

**DEFENDANT BANK OF AMERICA  
CORPORATION'S RESPONSES TO  
LOCAL CIVIL RULE 26.01  
INTERROGATORIES**

Defendant Bank of America Corporation, as alleged successor-in-interest to LaSalle Bank (“Bank of America”), hereby submits the following responses:

**(A) State the full name, address and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.**

**RESPONSE:** Bank of America is unaware of any persons or legal entities who may have a subrogation interest in this matter.

**(B) As to each claim, state whether it should be tried jury or nonjury and why.**

**RESPONSE:** Relator has requested a jury trial. Bank of America is continuing to investigate whether some or all of Relator’s claims must or should be tried by the Court, in the event this case proceeds to trial.

**(C) State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent or more of the outstanding shares or other indicia of ownership of the party; and (3) each**

**publicly owned company in which the party owns ten percent or more of the outstanding shares.**

**RESPONSE:** Bank of America is a publicly traded corporation, and no person or entity owns more than 10% of Bank of America.

**(D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).**

**RESPONSE:** Relator alleges that venue is proper pursuant to U.S.C. § 3732(a).

**(E) Is this action related in whole or in part to another matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which may be related regardless of whether they are still pending. Whether cases are related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical transaction, happenings or events; involve the identical parties or property; or for another reason would entail substantial duplication of labor if heard by different judges.**

**RESPONSE:** This action is related to *United States of America, et al., ex rel. Lynn E. Szymoniak v. Ace Securities Corp., et al.*, C.A. No. 13-cv-00464-JFA.

**(F) If the Defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.**

**RESPONSE:** Not applicable.

**(G) If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.**

**RESPONSE:** Bank of America respectfully submits that Relator's claims do not have merit and should be dismissed for the reasons stated in its Motions to Dismiss.

DATED this 15 day of January, 2014.

ATTORNEYS FOR BANK OF AMERICA  
CORPORATION

*/s/ E. Bart Daniel*

---

E. Bart Daniel (Fed. ID No. 9002)  
7 State Street  
Charleston, SC 29401  
Phone: 843.722.2000  
Facsimile: 843.722.6254  
Email: bart@bartdaniel.com

Douglas A. Axel (*pro hac vice pending*)  
Anand Singh (*pro hac vice pending*)  
SIDLEY AUSTIN LLP  
555 West Fifth Street  
Los Angeles, California 90013  
Telephone: 213-896-6000  
Facsimile: 213-896-6600  
Email: daxel@sidley.com  
Email: anand.singh@sidley.com